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PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: RALPH HEIDLER

Application No.: 09/626,804

Art Unit:

Filed: JULY 27, 2000

Examiner: T. G. SOOHOO

Title: FLEXIBLE MIXING MAT INCLUDING FANNING CORNERS WITH HANDLES AND METHOD OF USE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 700.00.

- ☐ has been paid previously on _____.
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

05/11/2005 SLUANG1 00000008 09626804

01 FC:2453

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.
750.00 OP

00000001 09626804
05/11/2005 SLUANG1
01 FC:2501
700.00 OP

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Walter Riddle _____
Signature Date
MAY 7, 2005
WALTER RIDDLE, MANAGING PARTNER
Typed or printed name Registration Number, if applicable
101 S. HOWARD ST., SUITE 11
Address Telephone Number
813-759-1136
PLANT CITY, FL 33563
Address

- Enclosures: ☒ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

MAY 7, 2005
Date

Walter Riddle _____
Signature

WALTER RIDDLE
Typed or printed name of person signing certificate



REASON FOR UNINTENTIONAL DELAY
Of Application No. 09/626,804

This Patent was to be issued on two different occasions. However, the Attorney, George A. Bode failed to pay the issue fee resulting in the Patent Applications going abandoned.

George A. Bode had been paid in full. A record of the checks paid to him are attached.

A copy of a Decision made by the Director Office of Enrollment and Discipline against George A. Bode is enclosed. It shows other Patent Applications going abandoned as a result of Bode's dishonesty.

George A. Bode was suspended from practice before the USPTO for seven years. The face sheet and decision of this case is attached.

I appreciate your assistance in getting this Patent issued.

Sincerely,

A handwritten signature in cursive script, appearing to read "Walter Riddle".

Walter Riddle
Managing Partner

FUNDS PAID GEORGE A. BODE FOR PATENT
FROM THE CEMENT FLIPPER CHECKBOOK

| DATE | CHECK NUMBER | AMOUNT |
|--|--------------|----------|
| 10/19/1999 | 1043 | \$353 |
| 4/4/2000 | 1055 | 1,990 |
| 7/24/2000 | 1061 | 3,500 |
| 8/2/2000 | 1064 | 1,360 |
| 3/19/2001 | 1123 | 10,000 |
| 3/22/2001 | 1127 | 7,500 |
| TOTAL CHECKS WRITTEN FROM CEMENT FLIPPER CHECKBOOK TO GEORGE A. BODE | | \$24,703 |

*I have copies of these checks
front & back showing deposited
to George A. Bode Account.*

Alto Ridelle



BEFORE THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENTS AND TRADEMARK OFFICE

| | | |
|----------------------------|---|-----------------------|
| HARRY I. MOATZ, |) | |
| |) | |
| Director, Office of |) | |
| Enrollment and Discipline, |) | |
| |) | |
| v. |) | Proceeding No. D02-14 |
| |) | |
| GEORGE A. BODE, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

FINAL DECISION UNDER 37 C.F.R. §
10.156

The Hon. Susan Biro ("ALF") issued an Initial Decision ("ID") finding that Respondent backdated three certificates of mailing; failed to communicate with clients, resulting in eight patent and trademark applications going abandoned; and failed to respond to Requirements for Information (RFIs) issued by the Office of Enrollment and Discipline (OED). Specifically, the ID found that by backdating certificates of mailing Respondent violated the following rules: USPTO Disciplinary Rule ("Rule") 10.23(b), by engaging in conduct involving misrepresentation; Rule 10.23(b)(6), by engaging in conduct that adversely reflects upon his fitness to practice; and Rule 10.23(c)(9), by knowingly misusing certificates of mailing. The ID found that through various failings involving his representation of several clients, Respondent violated the following rules: Rule 10.23(c)(8), by failing to inform clients of correspondence; Rule 10.77(c), by neglecting legal matters entrusted to him; and Rule 10.84(a)(2), by failing to carry out contracts for employment. Finally, the ID found that by failing to respond to RFIs, Respondent violated the following rules: Rule 10.23(b)(5), by engaging in conduct prejudicial to the administration of justice, Rule 10.23(b)(6), by engaging in conduct

○ Instead, the ID treated it as "part and parcel of Respondent's general neglect of client matters." Id.

If Respondent had been charged with misappropriation of client funds and these charges had been sustained, a more severe penalty might well have been warranted. Given the posture of the case, however, the ID appropriately treated Respondent's failure to return the issue fee as part of his pattern of neglect. Viewed in this light, the apparent misappropriation does not fundamentally change the nature of the neglect. The ID expressly declined to find that Respondent had intentionally converted the funds. The amount at issue, although significant, is only of a fraction of the damage caused by Respondent's neglect.¹ Thus, Respondent's failure to return the issue fee does not itself warrant a more severe penalty under the neglect charges.

ORDER

Upon consideration of the entire record, and pursuant to 37 C.F.R. § 10.130(a), it is

ORDERED that thirty (30) days from the date this order is entered, George A. Bode, whose USPTO Registration Number is 30,028, shall be suspended from practice before the USPTO for seven years, with the final four years of the suspension stayed, and that Respondent Bode be placed on probation for the those four years. The terms of the probation are:

- (i) Respondent shall comply with all Disciplinary Rules applicable to patent attorneys practicing before the USPTO; and

¹ The ID found that the value of the abandoned patents and trademarks, had they been issued, was irrelevant. However, the \$605 issue fee is only a fraction of the total legal and USPTO fees paid but rendered futile as a result of Respondent's neglect.

- (ii) No document in any patent or trademark application can be filed in the United States Patent and Trademark Office by or on behalf of Respondent which (a) uses a certificate of mailing under 37 C.F.R. § 1.8 and (b) indicates that the document was prepared by, worked on, or signed by or on behalf of, Respondent.

The Respondent's attention is directed to 37 C.F.R. § 10.158 regarding responsibilities in the case of suspension or exclusion, and 37 C.F.R. § 10.160 concerning petitions for reinstatement.

It is further ORDERED that this Final Decision in this proceeding be published.

RECONSIDERATION AND APPEAL RIGHTS

Any request for reconsideration of this decision must be filed within twenty (20) days from the date of entry of this decision. 37 C.F.R. § 10.156(c). Any request for reconsideration mailed to the PTO must be addressed to:

James A. Toupin
General Counsel
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

A copy of the request must also be served on the attorney for the Director of Enrollment and Discipline:

Sydney Johnson
Associate Solicitor
U.S. Patent and Trademark Office
Post Office Box 16116
Arlington, Virginia 22215

○ Any request hand-delivered to the USPTO must be hand-delivered to the Office of the General Counsel, in which case the service copy for the attorney for the Director shall be hand-delivered to the Office of Enrollment and Discipline.

If a request for reconsideration is not filed, and Respondent desires further review, Respondent is notified that he is entitled to seek judicial review on the record in the U.S. District Court for the District of Columbia under 35 U.S.C. § 32 and LCvR 83.7 of the U.S. District Court for the District of Columbia within thirty (30) days of the date of entry of this decision.

IT IS SO ORDERED,

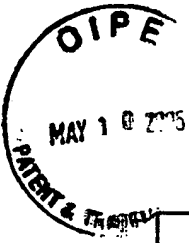
On behalf of the Under Secretary of Commerce for
Intellectual Property and Director of the United
States Patent and Trademark Office

July 28, 2004
Date

/s/
James Toupin
General Counsel
United States Patent and Trademark Office

cc:

Director
Office of Enrollment and Discipline
Mailstop OED
USPTO
P.O. Box 1450
Alexandria, VA 22313-1450



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: RALPH HEIDLER

Application No./Patent No.: 09/626,804 Filed/Issue Date: JULY 27, 2000

Entitled: FLEXIBLE MIXING MAT INCLUDING FANNING CORNERS WITH HANDLES AND METHOD OF USE

WALTER RIDDLE AND RALPH HEIDLER, a PARTNERSHIP
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Walter Riddle
Signature

MAY 7, 2005
Date

WALTER RIDDLE, MANAGING PARTNER
Printed or Typed Name

813-759-1136
Telephone Number

MANAGING PARTNER
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



BODE & ASSOCIATES
A PROFESSIONAL LAW CORPORATION

PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

GEORGE A. BODE
REG. PATENT ATTORNEY
U.S. PATENT OFFICE
(REG. NO. 30,038)

ADMITTED IN LOUISIANA, FLORIDA, NEW JERSEY & COLORADO

OF COUNSEL

RONALD L. CLARK
ADMITTED IN FLORIDA

2314 BROADWAY

NEW ORLEANS 70125-4128

Telephone: (504) 861-8288

Facsimile: (504) 866-6717

Friday

August 18, 2000

PENSACOLA, FLORIDA OFFICE
(850) 432-8288

LAKELAND, FLORIDA OFFICE
(941) 686-8288

Mr. Walter Riddle
Mr. Ralph Heidler
702 West Martin Luther King Boulevard
Plant City, Florida 33566

Re: "Flexible Mixing Mat And
Method Of Use" (U.1-CIP)
Inventor: Ralph HEIDLER
Assignee: Walter RIDDLE
and Ralph HEIDLER
(A Florida Partnership)
Serial No.: 09/626,804
Filed: July 27, 2000
Continuation-In-Part of:
Serial No.: 09/365,630
Filed: August 2, 1999

Gentlemen:


I am happy to inform you that on July 27, 2000, the continuation-in-part patent application (copy enclosed) for the above-referenced invention was filed in the U.S. Patent Office and assigned Serial No. 09/626,804. The application, however, takes the filing date - August 2, 1999 - of the parent application Serial No. 09/365,630 with respect to common subject matter. The new serial number will follow the application throughout its entire life in the U.S. Patent Office. You are now free to continue marking any device made in accordance with the application with the notice

"PATENT APPLICATION PENDING"

or the like; however, I would recommend that you do **NOT** use the serial number as part of the notice as it will only serve to alert your competition to the approximate filing date of this application which remains **CONFIDENTIAL** in the U.S. Patent Office.

Should you have any further questions or requirements in this regard, feel free to contact me at any time. I remain,

Very truly yours,
BODE & ASSOCIATES, P.C.


George A. Bode

GAB:bgg
enclosure

ASSIGNMENT

In consideration of TEN (\$10.00) DOLLARS cash in hand paid to me by the partnership of Walter RIDDLE and Ralph HEIDLER (a Florida partnership), and other good and valuable consideration receipt and sufficiency of which is hereby acknowledged, I, Ralph HEIDLER, of Plant City, Florida; having made an invention in "Flexible Mixing Mat Including Fanning Corners With Handles And Method Of Use," do hereby assign, sell, grant, and convey to said partnership of Walter RIDDLE and Ralph HEIDLER, its successors and assigns, the entire right, title and interest throughout the world in and to:

1. Said invention in "Flexible Mixing Mat Including Fanning Corners With Handles And Method Of Use" (U.1);
2. My United States of America utility patent application on said invention, executed on July 12, 1999, and bearing U.S. Serial No. 09/365,630, filed August 2, 1999, and entitled "Flexible Mixing Mat Including Fanning Corners With Handles And Method Of Use";
3. All applications for patent or like protection on said invention that have now been or may in the future be made by me or my legal representatives, whether in the United States of America or any other country or place anywhere in the world;
4. All patents and like protection that have now been or may in the future be granted on said invention to me or my legal

○ "Flexible Mixing Mat Including Fanning Corners
With Handles And Method Of Use" (U.1)
Serial No.: 09/365,630
Filed: August 2, 1999
Page 2

representatives, whether in the United States of America or in any other country or place anywhere in the world;

5. All substitutions for and divisions, continuations, continuations-in-part, renewals, reissues, reexaminations, extensions, and the like of said applications and patents and like grants, including without limitation, those obtained or permissible under past, present and future law and statutes;
6. All rights of action on account of past, present and future unauthorized use of said invention and for infringement of said patents and like protection; and,
7. All international rights of priority associated with said invention, applications, patents, and like protection;

and I covenant that I, my heirs, legal representatives, assigns, administrators, and executors will, at the expense of the partnership of Walter RIDDLE and Ralph HEIDLER, its successors and assigns, execute all papers and perform such other acts as may be reasonably necessary to give the partnership of Walter RIDDLE and

"Flexible Mixing Mat Including Fanning Corners
With Handles And Method Of Use" (U.1)
Serial No.: 09/365,630
Filed: August 2, 1999
Page 3

Ralph HEIDLER, its successors and assigns, the full benefit of this
Assignment.

EXECUTED at Plant City FL

on the date indicated below opposite my signature.

Oct 19, 1999.

Ralph Heidler
Ralph HEIDLER

STATE OF FLORIDA

COUNTY OF Hillsborough

BEFORE ME, the undersigned, a Notary Public in and for said
State and County above, on this day personally appeared Ralph
HEIDLER, known to me to be the person whose name is subscribed to
the foregoing instrument, and that he acknowledged to me that he
executed the same for the purposes and consideration therein
expressed.

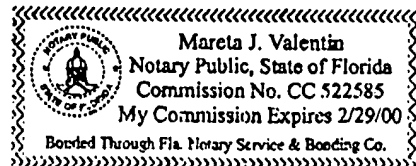
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19th day of
Oct, A.D. 1999.

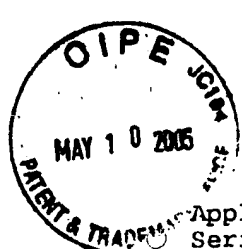
Mareta J. Valentin

Notary in and for the
County of

My commission expires:

- 3 -





Applicant or Patentee: Ralph HEIDLER Attorney's
Serial or Patent No.: _____ Docket
Filed or Issued: _____ No.: R-98-5670-U.1
For: "Flexible Mixing Mat Including Fanning Corners With Handles
And Method Of Use"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled same as "For" above, described in

- (X) the specification filed herewith.
() application serial no. _____, filed _____.
() patent no. _____, issued _____.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

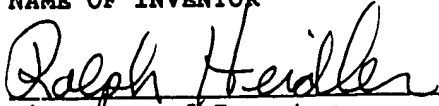
- () no such person, concern or organization.
(X) persons, concerns or organizations listed below:*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: RALPH HEIDLER and WALTER RIDDLE (A Florida Partnership)
ADDRESS: 702 West Martin Luther King Blvd. Plant City, Florida 33566
() INDIVIDUAL (X) SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

| | | |
|---|-----------------------|-----------------------|
| <u>Ralph HEIDLER</u> | | |
| NAME OF INVENTOR | NAME OF INVENTOR | NAME OF INVENTOR |
|  | | |
| Signature of Inventor | Signature of Inventor | Signature of Inventor |

JULY 12, 1999

| | | |
|------|------|------|
| Date | Date | Date |
|------|------|------|

Applicant or Patentee: Ralph HEIDLER Attorney's
Serial or Patent No.: _____ Docket No.: R-98-5670-U.1
Filed or Issued: _____
Title: "Flexible Mixing Mat Including Fanning Corners With Handles
And Method Of Use"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am
() the owner of the small business concern identified below:
(X) an official of the small business concern empowered to act on behalf of the concern
identified below:

NAME OF SMALL BUSINESS CONCERN: RALPH HEIDLER and WALTER RIDDLE (A Florida Partnership)
ADDRESS OF SMALL BUSINESS CONCERN: 702 West Martin Luther King Blvd.
Plant City, Florida 33566

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled
"Flexible Mixing Mat Including Fanning Corners With Handles And Method Of Use"
by inventor(s) Ralph HEIDLER
described in

(X) the specification filed herewith
() application serial no. _____, filed _____
() patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a non-profit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: _____
ADDRESS: _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Walter RIDDLE
TITLE OF PERSON OTHER THAN OWNER Managing Partner
ADDRESS OF PERSON SIGNING 702 West Martin Luther King Blvd. Plant City, Florida 33566

SIGNATURE



DATE July 12, 1999



DECLARATION IN COPENDING APPLICATION CONTAINING
ADDITIONAL SUBJECT MATTER - PAGE 1 OF 2

ATTORNEY'S DOCKET
NO.: R-98-5670-U.1-CIP

I, the below-named inventor, hereby declare that:
My residence, post office address and citizenship are as stated below next to my name;
that I verily believe I am the original, first and sole inventor if only one name is listed below,
or a joint inventor if plural inventors are named below, of the invention entitled:

"Flexible Mixing Mat And Method Of Use"

which is described and claimed in the attached specification;
that this application in part discloses and claims subject matter disclosed in my earlier filed
pending application: U.S. Serial No. 09/365,630, filed August 2, 1999, and assigned to RALPH
HEIDLER and WALTER RIDDLE (A Florida Partnership);

that I specifically acknowledge my duty to disclose material information as defined in 37 CFR
§ 1.56(a) which occurred between the filing date of the prior application and the filing date
of this continuation-in-part application which discloses and claims subject matter in addition
to that disclosed in the prior application (37 CFR § 1.63(d)). I was aware of this duty before
I signed the "Declaration And Power Of Attorney - Original Application," originally filed with
the application.

that I acknowledge my duty to disclose information of which I am aware which is material to the
examination of this application;

that I have reviewed and understand the contents of the specification, including the claims;
that as to the subject matter of this application which is common to said earlier application, I
do not know and do not believe that the same was ever known or used in the United States of
America before my or our invention thereof or patented or described in any printed
publication in any country before my or our invention thereof, or more than one year prior to
said earlier application, or in public use or on sale in the United States of America more than
one year prior to said earlier application;

that the common subject matter has not been patented or made the subject of an inventor's
certificate issued before the date of said earlier application in any country foreign to the
United States of America on an application filed by me or my legal representatives or assigns
more than twelve months prior to said earlier application; and

as to applications for patents or inventor's certificate on the common subject matter filed in any
country foreign to the United States of America, prior to said earlier application by me or my
legal representatives or assigns,

- (XX) no such applications have been filed, or
() such applications have been filed as follows:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION | | | | |
|---|-----------------------|-----------------------------------|----------------------------------|--------------------------------------|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (DAY, MO., YR.) | DATE OF ISSUE (DAY, MO., YR.) | PRIORITY CLAIMED UNDER 35 USC 119 |
| | | | | YES () NO () |
| | | | | YES () NO () |
| ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION | | | | |
| | | | | |
| | | | | |

that as to the subject matter of this application which is not common to said earlier applica-
tion, I do not know and do not believe that the same was ever known or used in the United
States of America before my or our invention thereof or patented or described in any printed
publication in any country before my or our invention thereof, or more than one year prior
to this application, or in public use or on sale in the United States of America more than
one year prior to this application;

that said non-common subject matter has not been patented or made the subject of an inventor's
certificate issued before the date of this application in any country foreign to the United
States of America on an application filed by me or my legal representatives or assigns more
than twelve months prior to this application; and

as to applications for patents or inventor's certificate on the invention filed in any country
foreign to the United States of America prior to this application by me or my legal
representatives or assigns,

- (XX) no such applications have been filed; or
() such applications have been filed as follows:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION | | | | |
|---|-----------------------|-----------------------------------|----------------------------------|--------------------------------------|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (DAY, MO., YR.) | DATE OF ISSUE (DAY, MO., YR.) | PRIORITY CLAIMED UNDER 35 USC 119 |
| | | | | YES () NO () |
| | | | | YES () NO () |
| ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION | | | | |
| | | | | |
| | | | | |

DECLARATION IN COPENDING APPLICATION CONTAINING
ADDITIONAL SUBJECT MATTER - PAGE 2 OF 2

ATTORNEY'S DOCKET
NO.: R-98-5670-U.1-CIP

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration no.)


George A. BODE
Reg. No. 30,028

SEND CORRESPONDENCE TO: George A. Bode
BODE & ASSOCIATES, P.C.
2314 Broadway
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DIRECT TELECOMMUNICATIONS TO:
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George A. BODE
Tele: (504) 861-8288
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| | | |
|-----------------------------------|---------------------------------|-------------------------------------|
| HEIDLER | Ralph | |
| <u>Family Name</u> | <u>First Given Name</u> | <u>Second Given Name</u> |
| <u>Plant City</u> | <u>Florida</u> | <u>USA</u> |
| <u>City</u> | <u>State or Foreign Country</u> | <u>Country of Citizenship</u> |
| <u>702 W. M.L. King Boulevard</u> | <u>Plant City</u> | <u>Florida 33566</u> |
| <u>Post Office Address</u> | <u>City</u> | <u>State & Zip Code/Country</u> |
| | | |
| <u>Family Name</u> | <u>First Given Name</u> | <u>Second Given Name</u> |
| | | |
| <u>City</u> | <u>State or Foreign Country</u> | <u>Country of Citizenship</u> |
| | | |
| <u>Post Office Address</u> | <u>City</u> | <u>State & Zip Code/Country</u> |
| | | |
| <u>Family Name</u> | <u>First Given Name</u> | <u>Second Given Name</u> |
| | | |
| <u>City</u> | <u>State or Foreign Country</u> | <u>Country of Citizenship</u> |
| | | |
| <u>Post Office Address</u> | <u>City</u> | <u>State & Zip Code/Country</u> |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--|-----------------------|-----------------------|
| SIGNATURE OF INVENTOR  | SIGNATURE OF INVENTOR | SIGNATURE OF INVENTOR |
| DATE 7-11-00 | DATE | DATE |

Applicant or Patentee: Ralph HEIDLER Attorney's
Serial or Patent No.: _____ Docket
Filed or Issued: _____ No. R-98-5670-U.1-CIP
For: "Flexible Mixing Mat And Method Of Use"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled same as "For" above, described in

- (X) the specification filed herewith.
() application serial no. _____, filed _____.
() patent no. _____, issued _____.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:


- () no such person, concern or organization.
(X) persons, concerns or organizations listed below:*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: RALPH HEIDLER and WALTER RIDDLE (A Florida Partnership)
ADDRESS: 702 West Martin Luther King Blvd. Plant City, Florida 33566
() INDIVIDUAL (X) SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

| | | |
|---|-----------------------|-----------------------|
| <u>Ralph HEIDLER</u> | | |
| NAME OF INVENTOR | NAME OF INVENTOR | NAME OF INVENTOR |
|  | | |
| Signature of Inventor | Signature of Inventor | Signature of Inventor |
| <u>7-11-00</u> | | |
| Date | Date | Date |

Applicant or Patentee: Ralph HEIDLER Attorney's
Serial or Patent No.: _____ Docket No.: R-98-5670-U.1-CIP
Filed or Issued: _____
Title: "Flexible Mixing Mat And Method Of Use"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- () the owner of the small business concern identified below:
(X) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: RALPH HEIDLER and WALTER RIDDLE (A Florida Partnership)
ADDRESS OF SMALL BUSINESS CONCERN: 702 West Martin Luther King Blvd.
Plant City, Florida 33566

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled
"Flexible Mixing Mat And Method Of Use"

by inventor(s) Ralph HEIDLER
described in

- (X) the specification filed herewith
() application serial no. _____, filed _____
() patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a non-profit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: _____

ADDRESS: _____

() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Walter RIDDLE

TITLE OF PERSON OTHER THAN OWNER Managing Partner

ADDRESS OF PERSON SIGNING 702 West Martin Luther King Blvd. Plant City, Florida 33566

SIGNATURE Walter A. Riddle

DATE 7-11-88